



CITY OF DURHAM | DURHAM COUNTY
NORTH CAROLINA

Street Closing Report



Meeting Date: June 20, 2016

Reference Name	Street Closing – Wilkerson Avenue (SC1600004)	Jurisdiction	City
Request	To permanently close 414.35 linear feet of Wilkerson Avenue		
Applicant	Richard Brown, Kimley Horn	Submittal Date	April 8, 2016
Location	West of West Pettigrew Street, east of NC-147 (Durham Freeway)		
Recommendation	Approve permanent closing of the public right-of-way.		

A. Summary

Richard Brown proposes to permanently close 414.35 linear feet of Wilkerson Avenue. The right-of-way is currently open and the portion of the street requested for closure is bordered by property under single ownership, Wexford Chesterfield Parking, LLC.

If this request is approved, the adjacent parcels and right-of-way will be combined into a singular parcel (Attachment 4) and a parking deck will be constructed at the subject site. A site plan indicating the layout of the deck is attached (Attachment 5).

B. Area Characteristics

The area surrounding the right-of-way is zoned Downtown Design-Support 1 (DD-S1) and is located in the Downtown Tier. The subject site is generally located east of the Durham Freeway and west of West Pettigrew Street.

Adjacent Land Uses and Zoning			
	Uses	Zoning Districts	Overlay Districts
North	Warehouse	DD-S1	N/A
South	Vacant, proposed Parking Deck	DD-S1	N/A
East	Durham Freeway	DD-S1	N/A
West	West Pettigrew Street/Railroad	DD-S1	N/A

C. Statutory Requirements

North Carolina Statute 160A-299 requires that the Governing Body make two findings prior to closing any street or alley. These are:

- 1) Closing the street or alley is not contrary to the public interest; and

- 2) No individual owning property in the vicinity of the street or alley or in which it is located would be deprived of reasonable means of ingress or egress to that property.

D. Code Requirements

Section 13.5.1 Access, of the Unified Development Ordinance requires that every buildable lot have access to a public or private street that is designed, constructed and maintained to the appropriate standards.

E. Service Impacts

This request was submitted to service agencies for review and comment. Their comments are shown below:

Service Agency Comments		
Service Agency	Comments	How Addressed
NCDOT	No impact	n/a
County - Engineering	No impact	n/a
County - Fire Marshall	No impact	n/a
Durham County Sherriff	No impact	n/a
Emergency Medical Services	No impact	n/a
911	No impact	n/a
Durham Public Schools	No impact	n/a
City - Transportation	No impact	n/a
City - Engineering	No impact	n/a
City - Fire Department	No impact	n/a
City – Parks and Recreation	No impact	n/a
City – Solid Waste	No impact	n/a
City – Inspections	No impact	n/a
City – General Services	No impact	n/a
Police Department	No impact	n/a
Duke Energy	No impact	n/a
PSNC	No impact	n/a
Frontier	No impact	n/a
Tax Assessor Office	No impact	n/a
Address Coordinator, GIS	No impact	n/a

F. Staff Analysis

The area adjacent to the right-of-way is zoned DD-S1 and is located in the Downtown Tier. The proposed street closing plat (Attachment 4) indicates that the requested right-of-way will be will be recombined with the properties which front on these streets. Each parcel will receive the portion of land, along their street frontage, to the center line of the street. Staff finds that this public right-

of-way has little or no value to the public and recommends the approval of the street closing request.

G. Recommendation

Approve the request to permanently close 414.35 linear feet of Wilkerson Avenue.

H. Staff Contact

Kyle Taylor, Planner, 919.560.4137 ext. 28250, Kyle.Taylor@DurhamNC.gov

I. Attachments

1. Context Map
2. Aerial Map
3. Street Closing Application
4. SC1600004 – Street Closing Plat Reduction
5. D1500262 – Site Plan Excerpt
6. Street Closing Order – Wilkerson Avenue